

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division

UNITED STATES OF AMERICA,)
)
)
v.) Case Nos. 5:21-mj-00004
)
)
THOMAS EDWARD CALDWELL,)
Defendant.) **ORDER OF DETENTION**

This matter came before the Court for an identity and removal hearing on January 19, 2021. The Defendant is charged with several offenses. The Government moved for detention.

The Court shall hold a detention hearing upon its own motion or motion of the Government where a serious risk exists that a defendant will not appear for future court proceedings or will obstruct or attempt to obstruct justice. 18 U.S.C. § 3142(f)(2). At the detention hearing, the Court shall consider the factors in 18 U.S.C. § 3142(g) to determine whether any condition or combination of conditions will reasonably assure the presence of the defendant.

Based on the evidence presented, including but not limited to the following, the Court finds that no condition or combination of conditions will reasonably assure the safety of another person or the community (by clear and convincing evidence):

The Amended Complaint and proffer from the Government's attorney allege that the Defendant worked with others to organize a paramilitary group to storm the United States Capitol to disrupt Congress's certification of Joe Biden as President of the United States. The Defendant and others in his group traveled to Washington, D.C., and forced their way into the U.S. Capitol on January 6, 2021. Law enforcement officers at the U.S. Capitol were assaulted and property destroyed. The Vice President and members of the House of Representative and Senate were forced to shelter from the mob for their safety, disrupting the actions of Congress to

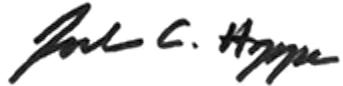
certify the Presidential election results. The Defendant was part of this mob. After the storming of the U.S. Capitol, the Defendant sent messages celebrating the incursion and advocating storming a state capitol. Lastly, the Defendant used social media accounts to communicate with other members of the paramilitary organization, and he may have deleted some of those communications.

The Defendant's alleged actions show an utter disregard for the laws of the United States such that the Defendant would present a danger to the community and a risk to obstruct or attempt to obstruct justice if he were released. It is therefore ORDERED that the Defendant be detained pending further proceedings in this case.

Directions Regarding Detention

The Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ENTERED: January 19, 2021



Joel C. Hoppe
United States Magistrate Judge